



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Whirley, et al.

Examiner: Thomas Sweet

Application No.: 10/769,532

Group Art Unit: 3738

Filed: January 30, 2004

Docket: 760-251

For: INFLATABLE POROUS
IMPLANTS AND METHODS
OF DRUG DELIVERY

Dated: October 3, 2006

Confirmation No.: 8638

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to: Commissioner for Patents, Alexandria, VA 22313

Dated: October 3, 2006

Signature K.J. Goodhand /

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION FOR EXTENSION OF TIME

Sir:

Pursuant to 37 C.F.R. §1.136(a), an extension of time of two-months is hereby requested to file a Petition for Revival of an Application for a Patent Application Abandoned Unintentionally Under 37 C.F.R. §1.137(b) and accompanying Request for Continued Examination (RCE). The final Office Action was mailed March 6, 2006. A reply in the form of an Amendment and Response Pursuant to 37 C.F.R. §1.116 was filed within the Two-Month Rule on May 4, 2006. An Advisory Action was mailed on July 21, 2006. Accordingly, a reply was due September 6, 2006 with a two-month extension of time as such extensions are tolled from the mailing date of the Advisory Action.

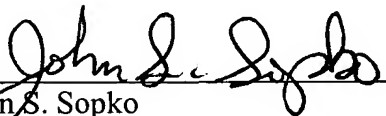
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Thus, a two-month extension of time is believed to be due for the filing of the Petition for Revival and the RCE.

A two-month extension is respectfully requested. The Commissioner is hereby authorized to charge payment of \$450.00 or any additional fees associated with this communication, or credit any overpayment, to Deposit Account No. 08-2461. Such authorization includes authorization to charge fees for extension of time, if any, under 37 C.F.R. §1.17 and also should be treated as a constructive petition for an extension of time in this reply or any future reply pursuant to 37 C.F.R. §1.136.

Respectfully submitted,



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